

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Alan Morrison,

Civ. No. 16-2242 (PAM/SER)

Plaintiff,

v.

ORDER

City of Minneapolis, and Christopher
Steward,

Defendants.

This matter is before the Court on Plaintiff's pro se Motion to Stay Summary Judgment Pending Appeal and Motion for Fee Waiver for Transcripts.

Plaintiff first asks the Court to stay its summary-judgment ruling, although he offers no argument in support of the request. The Court granted summary judgment to Defendants in January 2018, more than seven months ago. It is long past time to seek a stay of that judgment. See Fed. R. Civ. P. 62(a). Moreover, a stay pending appeal usually requires the posting of a supersedeas bond, and Plaintiff has not posted or offered to post a bond. Id. R. 62(d). Plaintiff has not established that a stay is either necessary or appropriate.

The Court previously granted Plaintiff permission to appeal in forma pauperis. (Docket No. 76.) He now asks the Court to waive the fee for transcripts, although again he offers no argument in support of this request, nor does he specify what transcripts he requires. The Court may order the payment of an indigent individual's transcript fees only if the Court "certifies that the appeal is not frivolous (but presents a substantial question)."

28 U.S.C. § 753(f). Because Plaintiff has not provided the Court with any argument regarding the nature of his appeal, the Court cannot make this certification. Plaintiff's Motion will be denied without prejudice, however, and he may resubmit his fee-waiver request with legal or factual support, should he believe transcripts are necessary for the prosecution of his appeal. Any renewed request should also specify the transcripts to be provided.

Accordingly, **IT IS HEREBY ORDERED that**

1. Plaintiff's Motion to Stay Summary Judgment (Docket No. 80) is **DENIED**;
and
2. Plaintiff's Motion for Fee Waiver for Transcripts (Docket No. 81) is
DENIED without prejudice.

Dated: August 24, 2018

s/Paul A. Magnuson
Paul A. Magnuson
United States District Court Judge